

P. 125

App. F. IX-4

1933-4

File No. 7-33

Previous References

(420)

Serial Nos. 8-2

Later References

Geol 7-33 (3-5)

[Large handwritten flourish]

(8)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two

Part B for

July 1933

SUBJECT.

Further amendments to the rules for the
grant by local government of prospect-
ing licenses and mining leases in British
India

& 192 of 13-4-33

to complete m. g.

Notified to -

Geol. 7-33-1 C

Pol. 1686

[R.O. 106.]

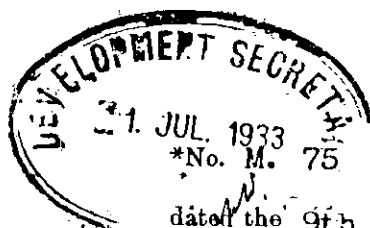
OFFICE OF THE RESIDENT IN MYSORE,

All communications
should be addressed
to the Secretary to the
Resident in Mysore,
Bangalore,
by designation and not by name.

GENL. & REV. SECRETARIAT
DEVELOPMENT BRANCH

Bangalore, 30th June 1933.

Enclos. 2



each notifications.
A copy of the marginally* noted letter, with enclosure, is forwarded

with compliments, to the Secretary

to the Government of H. H. the Maharaja of

Department of Industries and Labour
Mysore, Development Department, in continuation

of Endorsement from this office No. 7011, dated

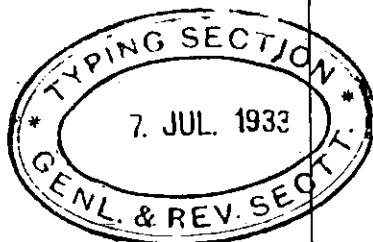
the 18th October 1932.

Subd with a memo forwarding
copies of the notifications to the
Secy of Geol

CMN
168-28-6-1933-5,000-REB

Secy: Secy

For Secretary to the Resident.



B
14/7/33

GENL. & REV. SECRETARIAT

NOTE—Contn. Sheet.

DEVELOPMENT BRANCH

2.
No. D 192 & 13-7-33
The Compiler, M. Gazette.
Forwarded the same to the
publication in the Gazette.
No. 193-4 & 13-7-33
Copy to
The Director of Geology
& the Chief Inspector of Mines

DEPARTMENT OF INDUSTRIES AND LABOUR.

Resolution..

Simla, the 9th May 1933.

No.M-75.-- The Governor General in Council, with the sanction of His Majesty's Secretary of State for India in Council, is pleased to direct that the following further amendments shall be made in the rules regulating the grant by Local Governements of licenses to prospect for minerals and of mining leases in British India, published with the resolution of the Government of India in the Department of Commerce and Industry No.7552-7581-121, dated the 15th September 1913, as subsequently amended:-

1. In rule 30 --

(1) After clause (viii) the following clause shall be inserted namely :-

"(ix) The Government shall at all times have the right of pre-emption of the minerals lying upon the land in respect of which the license has been granted or elsewhere under the control of the licensee, provided that the fair market price shall be paid to the licensee for all minerals taken in pre-emption. "

(2) Clause (ix) shall be renumbered (x) and the following proviso shall be added to it namely:-

"Provided that any dispute as regards the price to be paid for minerals taken in pre-emption by the Government from mines or lands other than those of which possession or control has been taken over by Government during war or other emergency shall be determined by two arbitrators one to be nominated by the Local Government and the other by the licensee or in case of disagreement between the arbitrators by an umpire appointed by the Local Government and the decision of such arbitrators or umpire shall be final."

2. In rule 50 --

(1) After clause (xv), the following clause shall be inserted

inserted, namely:-

3

"(xvi) The Government shall at all times have the right of pre-emption of the minerals lying upon the land in respect of which the lease has been granted or elsewhere under the control of the lessee, provided that the fair market price shall be paid to the lessee for all minerals taken in pre-emption."

(2) Clause (xvi) shall be renumbered (xvii) and the following proviso shall be added to it namely:-

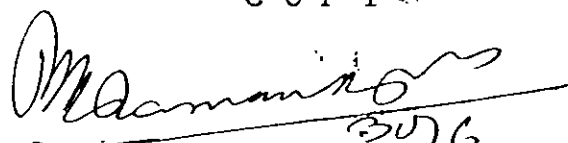
" Provided that any dispute as regards the price to be paid for minerals taken in pre-emption by the Government from mines other than those of which possession or control has been taken over by the Government during war or other emergency shall be determined by two arbitrators one to be nominated by the Local Government and the other by the lessee or in case of disagreement between the arbitrators, by an umpire appointed by the Local Government and the decision of such arbitrators or umpire shall be final."

Ordered that the Resolution be published in the Gazette of India, for general information.

Sd. A. G. GLOW.

Joint Secy. to the Govt. Of India.

" C O P Y "


3076
SUPERINTENDENT, RESIDENT'S OFFICE.


DEPARTMENT OF INDUSTRIES AND LABOUR.

Resolution.

Simla, the 11th May 1933. (6)

No. M.-75. -- The Governor General in Council with the sanction of His Majesty's Secretary of State for India, in council, is pleased to direct that the following further amendments shall be made in the rules regulating the grant by Local Governments of licenses to prospect^s for minerals and of mining leases in British India, published with the resolution of the Government of India in the Department of Commerce and Industry No.7552-7581-121, dated the 15th September 1913, as subsequently amended:-

For the first sentence of rule 9 of the Miningⁿ Rules the following shall be substituted:-

" A certificate of approval may be renewed at the discretion of the Local Government on payment of a fee of Rs.10 if the application for renewal is received within one month after the date of expiry of the original certificate and on payment of a fee of Rs. 50 if the application is received after one month but within three months of the date of expiry of the original certificate. No application for renewal received after three months from the expiry of a certificate shall be entertained ~~at~~ but a fresh certificate of approval may be granted at the discretion of the Local Government on payment of a fee of Rs.50. The period of renewal of a certificate^{of approval} has effect from the date of expiry of the original certificate or of a previous renewal as the case may be: provided that no renewal shall have retrospective effect for purposes of priority under Rules 23, 42 and 55 beyond the date on which the application for such renewal was filed."

Ordered that the Resolution be published in the Gazette of India, for general information.

Sd. A. G. Clow.

Joint Secy. to the Govt. of India.

" COPY"
M. G. Damania
30/6
SUPERINTENDENT, RESIDENT'S OFFICE.

SUBJECT.....

8 copies

Section Genl

File No. 7-33

Serial No. 2

Diary No. of letter replied to

No.

D 192

To

Notification

General and Revenue Secretariat

()

the

193

Date of issue.....

13/7/32

Signed by.....

M. K. A. Wajed

The following Notification
No M. 75 dated 9th and 11th May
1933 respectively of the Govt. of
India in the Department of
Industries & Labour re: further
amendments to the rules for the
grant by Local Govts of prospect
licenses & mining leases in
British India, ^{are} hereby
published for general information
[Here enter the notifications]

B. O

cut.

List of enclosures.....

Copied by.....

M. K. A. Wajed

To, the compile ^{Genl Secy} Memo for
Memo D/93-4 publication

Examined by.....

Copy to the Secy of Genl
K. C. A. G. Minis B. O

Genl Secy
In Genl Secy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

General and Revenue Secretariat,

Dated, Bangalore, ¹³⁶ 8th July 1933

No.

10192
2087-23-2

NOTIFICATION.

The following Notifications No.M.75 dated 9th and 11th May 1933 respectively of the Government of India in the Department of Industries and Labour regarding further amendments to the rules for the grant by Local Governments of prospecting licenses and mining leases in British India are hereby published for general information:-

DEPARTMENT OF INDUSTRIES AND LABOUR.

Resolution.

Bimla, the 9th May 1933.

No.M-75.-- The Governor General in Council, with the sanction of His Majesty's Secretary of State for India in Council, is pleased to direct that the following further amendments shall be made in the rules regulating the grant by Local Governments of licenses to prospect for minerals and of mining leases in British India, published with the resolution of the Government of India in the Department of Commerce and Industry No.7552-7551-121, dated the 15th September 1913, as subsequently amended:-

1. In rule 30 ---

(1) After clause (viii) the following clause shall be inserted namely:-

"(ix) The Government shall at all times have the right of pre-emption of the minerals lying upon the land in respect of which the license has been granted or elsewhere under the control of the licensee, provided that the fair market price shall be paid to the licensee for all minerals taken in pre-emption."

(2) Clause (ix) shall be renumbered (x) and the following proviso shall be added to it namely:-

"Provided that any dispute as regards the price to be

paid for minerals taken in pre-emption by the Government from mines or lands other than those of which possession or control has been taken over by Government during war or other emergency shall be determined by two arbitrators one to be nominated by the Local Government and the other by the licensee or in case of disagreement between the arbitrators by an umpire appointed by the Local Government and the decision of such arbitrators or umpire shall be final."

2. In rule 50 --

(1) After clause (xv), the following clause shall be inserted namely:-

"(xvi) The Government shall at all times have the right of pre-emption of the minerals lying upon the land in respect of which the lease has been granted or elsewhere under the control of the lessee, provided that the fair market price shall be paid to the lessee for all minerals taken in pre-emption."

(2) Clause (xvi) shall be renumbered (xvii) and the following proviso shall be added to it namely:-

"Provided that any dispute as regards the price to be paid for minerals taken in pre-emption by the Government from mines other than those of which possession or control has been taken over by the Government during war or other emergency shall be determined by two arbitrators one to be nominated by the Local Government and the other by the lessee or in case of disagreement between the arbitrators, by an umpire appointed by the Local Government and the decision of such arbitrators or umpire shall be final."

Ordered that the Resolution be published in the Gazette of India, for general information.

SC. A.G.Olow.

Joint Secretary to the Government of
India.

DEPARTMENT OF INDUSTRIES AND LABOUR.

Resolution.

Simla, the 11th May 1933.

No.H.- 75.-- The Governor General in Council with the sanction of His Majesty's Secretary of State for India, in council, is pleased to direct that the following further amendments shall be made in the rules regulating ~~the~~ the grant by Local Governments of licenses to ~~prospect~~ prospect for minerals and of mining leases in British India, published with the resolution of the Government of India in the Department of Commerce and Industry No.7552-7581-121, Dated the 15th September 1913, as subsequently amended:-

For the first sentence of rule 9 of the Mining Rules the following shall be substituted:-

for local Government
"A certificate of approval may be renewed at the discretion of *the* ~~the~~ *the* the application for renewal is received within one month after the *payment of a fee of Rs.50* ~~dated~~ *date* of expiry of the original certificate and on payment of a fee of Rs.50 if the application is received after one month but within three months of the date of expiry of the original certificate. No application for renewal received after three months from the expiry of a certificate shall be entertained but a fresh certificate of approval may be granted at the discretion of the Local Government on payment of a fee of Rs.50. The period of renewal of a certificate of approval has effect from the date of expiry of the original certificate or of a previous renewal as the case may be ; provided that no renewal shall have retrospective effect for purposes of priority under Rules 23, 42 and 55 beyond the date on which the application for such renewal was filed."

Ordered that the Resolution be published in the Gazette of India, for general information.

Sd. A.G. Glow.

Joint Secretary to the Government of India.

By Order,

(Sd) S. Abdul Wahid

Secretary to Government,
Development Department.

To

The Compiler, Mysore Gazette for
publication.

Memo 173-4

Copies to the son of Lord & the
chief-Inspector of mines

B. O

g/td

John Dwyer

In Sec 6-200
New Zealand